

CHARTER OF THE INLAND WATERWAYS USERS BOARD

A. COMMITTEE'S OFFICIAL DESIGNATION: Inland Waterways Users Board

B. OBJECTIVE AND SCOPE: The committee will act solely in an advisory capacity to the Secretary of the Army on matters relating to construction and rehabilitation priorities on the commercial inland waterways and harbors of the United States as defined in Public Law 95-502 as amended by Public Law 99-662. The committee will advise, consult with, and make recommendations to the Secretary of the Army reflecting the committee's independent judgment.

C. DURATION: Continuing. The committee has been established as an Inland Waterways Users Board under Section 302 of Public Law 99-662.

D. OFFICIAL TO WHOM COMMITTEE REPORTS: The committee will report to the Secretary of the Army through the Assistant Secretary of the Army for Civil Works.

E. SPONSOR AND AGENCY PROVIDING SUPPORT: The United States Army Corps of Engineers will be the sponsor, and will furnish such secretarial, clerical and other services as are necessary for the committee. The Director of Civil Works, U.S. Army Corps of Engineers, or his designee will serve as the Executive Director to the Board.

F. DUTIES: The Users Board will develop and make recommendations to the Secretary of the Army regarding construction and rehabilitation priorities and spending levels on the commercial navigation features and components of the inland waterways and inland harbors of the United States. Annually, the Users Board shall file such recommendations with the Secretary of the Army and with the Congress.

G. ESTIMATED ANNUAL COST: Approximately \$230,000 per year.

H. FREQUENCY OF MEETING: The committee will meet at the call of the Assistant Secretary of the Army for Civil Works, but in any event, not less than twice during each calendar year. It is estimated that the committee will meet three times per year for approximately three days duration. Official action may be taken at any committee meeting at which a majority of the members are present. Notice of meetings will be published at least thirty days (30) in advance in the Federal Register and letters sent to each member by the Chairman notifying them in advance of said publication.

I. **TERMINATION DATE:** Not applicable.

J. **COMPOSITION OF COMMITTEE:** NUMBER OF MEMBERS AND DURATION

a. The committee will consist of eleven (11) members, appointed by the Secretary of the Army. The members will be chosen, in approximately equal numbers, from inland waterways users and shippers. A shipper is defined as an owner, person or firm for whose account transportation of cargo is provided or to whom delivery is to be made, The shipper should be closely tied to the modal decision making process. A user is a person or firm which operates towboats and/or barges on the inland waterways of the United States for commercial purposes, either in private carriage or for hire. The members shall be selected to represent various regions of the country and a spectrum of the primary users and shippers utilizing the inland and intracoastal waterways for commercial purposes. Due consideration shall be given to assure a balance among the members based on the ton-mile shipments of the various categories of commodities shipped on inland waterways. The Secretary of the Army shall designate, and the Secretaries of Agriculture, Transportation, and Commerce may each designate a representative to act as an observer at all Users Board meetings and activities.

b. The Secretary of the Army will designate one of the members of the committee as the Chairman and one of the members as Vice-Chairman. The Vice-Chairman will act as Chairman in the absence or incapacity of the Chairman, or in the event of a vacancy in the office of the Chairman.

c. The duration of the term of membership shall be two years. Appointments which are vacated prior to the expiration of the term of said appointment shall be filled only for the remainder of the term. Members may be replaced or reappointed at the discretion of the Secretary of the Army; however, no member shall serve for more than four consecutive years.

d. Committee members will not be compensated for their services but, upon their request, may be reimbursed for travel expenses, subsistence and accommodations as allowed by current regulations.

K. **SUBCOMMITTEES:** The Chairman is authorized to establish subcommittees only from the membership of the committee. The subcommittees and subgroups shall comply with all regulations to which the committee is subject.

L. **DATE CHARTER FILED:** March 3, 2003